

## REMARKS

Claims 1-20 are pending.

Claims 1-20 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Hunter (US 6,707,454) in view of Kimmel (US 4,850,027).

### **Changes in the Claims:**

Claims 1, 18 have been amended in this application to further particularly point out and distinctly claim subject matter regarded as the invention. The amendments are supported by the originally filed specification, for example, at page 6, lines 7-31. No new matter has been added.

### **Rejection under 35 USC §103(a) – claims 1-20**

Claims 1-20 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Hunter (US 6,707,454) in view of Kimmel (US 4,850,027). This rejection is respectfully traversed.

Under MPEP §706.02(j), in order to establish a prima facie case of obviousness required for a §103 rejection, three basic criteria must be met: (1) there must be some suggestion or motivation either in the references or knowledge generally available to modify the reference or combine reference teachings (MPEP §2143.01), (2) a reasonable expectation of success (MPEP §2143.02), and (3) the prior art must teach or suggest all the claim limitations (MPEP §2143.03). See *In re Royka*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974).

Hunter describes a system for inspecting a substrate. As stated in the office action of 02/14/2006, Hunter is silent and does not teach or suggest “the scanner is responsive to a signal from a scanner system clock; the track system responsive to a signal from a track system clock; pre-determining and inserting wait states as needed to avoid conflict for resources in said semiconductor wafer fabrication system; and determining deviation from nominal timing in said scanner clock and dynamically inserting time delay as needed in said semiconductor wafer fabrication system to compensate for such deviation.” Office Action, Page 3.

Kimmel describes a parallel pipeline system of image processing elements. Kimmel suggests that “the delay of all BCs within a given configuration irrespective of the function” **must remain fixed and equal**. Therefore, the delay in Kimmel cannot be dynamic. Kimmel, Col. 12, lines 3-6.

Applicant respectfully submit that the proposed combination of Hunter and Kimmel does not teach or suggest all of the claim limitations of claims 1-20. Neither Hunter nor Kimmel teach or suggest “**(b) operating said track system responsive to a signal from a track system clock**; **(c) pre-determining and inserting pre-planned wait states** as needed to avoid conflict for resources in said semiconductor wafer fabrication system **prior to operating said semiconductor wafer fabrication system**; and **(d) determining deviation from nominal timing in said scanner clock and dynamically inserting time delay** as needed in said semiconductor wafer fabrication system to compensate for such deviation.” Claim 1.

Neither Hunter nor Kimmel describe or suggest “**(b) operating said track system responsive to a signal from a track system clock**.” Hunter describes a track system but is silent as to any track system clock or scanner system clock as admitted in the Office Action. Kimmel describes parallel image processing elements. “The paths for the image streams through the ‘configured’ network of PEs must be the same ‘distance’ or clock times or number of pel delays regardless of which path or paths it takes at any local level through any function.” Kimmel, Col. 11, lines 31-35. The clock in Kimmel is used for measuring delays in the network of PEs and **not** for operating a track system. Kimmel is therefore silent as to “**operating said track system responsive to a signal from a track system clock**”. Claim 1.

Neither Hunter nor Kimmel describe or suggest “**(c) pre-determining and inserting pre-planned wait states** as needed to avoid conflict for resources in said semiconductor wafer fabrication system **prior to operating said semiconductor wafer fabrication system**.” Hunter is silent as to the above recited limitation as admitted in the Office Action. The system in Kimmel includes delays that must be constant. These delays are not pre-planned wait states because they are not programmed into any wafer fabrication recipe prior to operating a semiconductor wafer fabrication system. Kimmel, Col. 11,

lines 65-66. Kimmel is silent as to **any pre-planned wait states inserted prior to operating a semiconductor wafer fabrication system.**

Neither Hunter nor Kimmel describe or suggest “determining deviation from nominal timing in said scanner clock and **dynamically inserting time delay** as needed in said semiconductor wafer fabrication system to compensate for such deviation.” Hunter is silent as to the above recited limitation as admitted in the Office Action. The system in Kimmel includes delays that must be constant. Because these delays must remain fixed and equal, they cannot be dynamically inserted time delays. Kimmel, Col. 12, lines 4-5. Kimmel is therefore silent as to determining deviation from nominal timing in said scanner clock and **dynamically inserting time delay** as needed in said semiconductor wafer fabrication system to compensate for such deviation.

With respect to claims 10 and 18, the arguments set forth above regarding the base claims are equally applicable here.

Applicant therefore submits that the rejection based the Hunter and Kimmel should be withdrawn. Thus, Applicant submits that claims 1-20 recite novel subject matter which distinguishes over any possible combination of Hunter and Kimmel.

### **Conclusion**

For all of the above reasons, applicants submit that the amended claims are now in proper form, and that the amended claims all define patentable subject matter over the prior art. Therefore, Applicants submit that this application is now in condition for allowance.

### **Request for allowance**

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

### **Invitation for Telephone Interview**

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 5/15/2006

  
\_\_\_\_\_  
Thierry K. Lo  
Reg. No. 49,097

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300